App F IX-4

Previous References

1931-32 (Ml)

File No. 84-31

Serial Nos. 1, 5, 15, 20 & 23

PRESERVED

Later References

General and Revenue Secretariat.

Serial Nos Five

Part B for April 1932

SUBJECT.

Proposal of the Town Planning Committee Bijnor that Govt may advise all municipalities not to grant licenses to property owners and capitalists to open out immature extensions of towns beyond their own lands

---

Sl 23 L 6780 dated 7 4 1932

To The Secretary, Town Planning Committee Bijnor

Observes that for certain reasons a rigid rule as suggested by the Committee in its resolution does not appear to be called for

9/32

GOVERNMENT OF MYSORE.

DEPARTMENT OF HEALTH

BUREAU OF SANITARY ENGINEERING

J. V. KARVE, M.B., Ch.B., D.P.H., *Director of Health*

H.F.Marker, L.C.E., M.R.San.I., *Executive Sanitary Engineer*

J. J. MIELDAZIS B.Sc.C.L., *Rockefeller Foundation Sanitary Engineer*

L. S. C. LANGE.

GEN. SECTT. 324 20 JUL 1931

D.O. No. 32

"GRACEVILLE" PALACE ROAD

Encl

Bangalore, (S India) dated 16th July 1931

Mul 8.4-31-1

GENERAL SECRETARY 17 JULY 1931 No. 781

To The General Secretary to the Government of Mysore, BANGALORE.

RR 17/7/31 VE

Sir,

I am directed to bring to your notice the following resolution of the Meeting of Town Planning Committee appointed by the Government, as per Government Order No.L.77[illegible]16/M1.226-30- dated 17-3-1931, held on 2nd July 1931.

Mr TV

> "While discussing the layout of Extensions and forming sites, it was pointed out that [illegible] many private lands, the owners of which desire [illegible] them out for building purposes by dividing the land into sites. It was resolved that all such lands should be acquired by the Municipality for the proper control of building operations on them, as per Municipal Regulations and for providing proper roads, light and sanitary conveniences which, if left to the owners of the land, would never be done properly."

Instances have come to the notice of the Committee, in which private parties have been allowed, especially in Bangalore to divide their lands into building sites. It is much better from all points of view that such lands are acquired by the Municipalities and then laid out by them (the Municipalities) so that there may be full and efficient control over affording proper facilities in respect of roads, light, water, conservancy etc.

The Committee, therefore, request that the Government might advise all Municipalities not to grant licenses to property owners and capitalists to open out miniature extensions of Towns within their own lands.

I have the honour to be
Sir,
Your most obedient servant,

Secretary,
Town Planning Committee

Secy - for orders.
Yes
21-7-31

The opinion of the BSE.

Cu

Serial No

several municipals Councils in the matter may be invited.

3) 2nd Member) VS 23/7/31

OFFICE OF THE ... COUNCIL
23 JULY 1931
No. 841

4) whether the committee's decisions constitutes a function by 24/7/31

RJ 24/7/31 VS

Flagy

5) File leading to the issue of G.O. no. L770 5-16-Ml226-30-1 dated the 17th March 1931, Appointing a Committee for examining & submitting the several schemes for extension or improvement of Towns & Villages is submitted for perusal.

OFFICE OF THE SECOND MEMBER OF COUNCIL
28 JULY 1931
1078

Jobs 27/7/31 6) 2nd Member) VS 28.7.31

7) In view the Govt. Zamindari municipal Councils may be Manned with 1st instance.

by 29/7/31

RJ. 29/7/31

8) Draft subd Jobs 29/7/31

9) Issue VS 30.7.31

NOTE—Contn Sheet

WD 02553—50,000—GPB—8 7 30

324
2

1906.

(3

Ml File No 84 of 193 / | General and Revenue Secretariat

To
The Mc: Comm: thro the President Bangalore City Medl
" President, Mysore City Medl
No L857-8 dt 1-8-31
Calls for the Opinion of the Municipal Council in the matter of licenses not being given to property Owners & Capitalists to open out miniature excursions of Towns within their own lands

5

Letter no 9. to 89 dt 14-10-31 from the Secretary, Bangalore City Medl, Bangalore City Medl have resolved that they are quite in sympathy with the above proposal

15

---

10) Send for perusal
11) The opinion of the Mysore City Medl should be awaited before a final orders.
Sd/ MA
29/10

Yes
30 10 31

Sec A

GEN & REV. SEC
11 AUG 1
L. S & BRANC

Remind Mysore City Medl
13
18.1.32

Serial No	
20	Letter no H.T 956 dated 8 th Jany 19 from the President Cuddapah Municipality forwarding copy of resolution of the Municipality agreeing to adopt the suggestion of Town planning committee. 14) Both the Cuddapah Municipality are agreeable to adopt the Suggestion of Town planning committee to the effect that no licenses should be granted to property owners and capitalists to open out miniature extensions of Town within their own lands 15) Submitted for orders C Ref Para 4 Supra 16) It is not clear whether the suggestion of the Town Planning committee can be legally enforced. The Law Dept. may be consulted as to whether the provisions of the existing Municipal regulations give the necessary powers to give effect to the Suggestion of the Committee 17) Please portion Ms file 226-30-1 18) The collection has been put up for reference in connection with the file is not readily available 19) Submitted with reference to orders ... Para 7 Supra 20) The Law Dept may be consulted as proposed at A above 21) (illegible)

GENERAL SECRETARY
28 JAN 1932
No 5460

209 law

NOTE—Contn Sheet

WD 02553—50 000—GPB—8 7 30

1) Asst Secy (Lawyer) with papers

L. 4721 / P

2833/F

(5

Nil File No 824. of 193 / General and Revenue Secretariat

3) Under the Municipal Regulation, a Municipality by refusing to give a license, cannot prohibit an owner of land from using the land for building purposes. The Municipality may however prescribe conditions in the license, necessary to have "a full & efficient control over affording proper facilities in respect of roads light, water, conservancy etc"
24) (S & Br)

209/Law

Dep 14/2

25) For admin action refer to para 7 Supra

26) Sec'l Secy) - Adm 14/2

27) Please speak to me
RB 16/2/32

28) The View at A appears to be the right View
RB 18/2/32
Adm 18/2

29) If no Member

30) Power might be taken to require the Regn authorities to enable the MCC to acquire such land
Ken 1932
Adm 19/2

Reid 20 19-2-32

GENERAL SECRETARY 15 FEB 1932 No. 5855

OFFICE OF THE SECOND MEMBER OF COUNCIL 19 FEB 1932 No. 6881

Serial No

31) Please see para (c) of sub-clause (2) of clause 122 of the Town Municipalities Bill which will be adopted for the City Municipalities also. This para provides that in cases of buildings on any land which has not been laid out by the Municipal Council or other competent authority, the Municipal Council may direct that the work shall ~~be~~ not be proceeded with unless and until all questions connected with the respective location of the building and streets have been decided to the satisfaction of the Municipal Council. This direction cannot, however, under the proviso to this para, be in force after six months from the date on which the direction is given. There is thus ample opportunity for the Municipal Council to give lawful directions for the proper ~~layout~~ location of buildings and opening out necessary roads.

32) The Municipal Council has under clause 112.(2) of the Bill power to purchase the land necessary for the houses and buildings to form streets and under clause 44 the land required may be acquired under the provisions of the Land Acquisition Regulation. On ~~pay~~ payment to the Government of the compensation awarded and all costs incurred the land will vest in the Municipal Council.

33) Under clause 114 of the Bill every person intending to lay out or make a new street should give notice in writing thereof to the Municipal Council and furnish the Municipal Council with the details of the streets to be opened. The Municipal Council has also power to cause any street laid out without giving the required notice or any building erected in such street contrary to its direc tions

NOTE—Contn Sheet.

be altered or removed.

34) Under clause 113 ~~thereof~~ of the Bill the Municipal Council has also power to require the owners of lands and buildings on any street (not being a public street) in which the Municipal Council considers that any work should be done for the levelling, paving, metalling, flagging, channeling, drawing, lighting or cleaning ~~thereof~~ thereof, to -- carry out such work ~~as~~ in the manner and within the time to be specified ~~with~~ in a notice to be given to the owners and after such work has been carried out, the Municipal Council, shall, on the joint requisition of a majority of the owners, ~~be~~ declare such ~~a public~~ street a public street.

35) These provisions appear to be ample for the -- Municipal Council to regulate construction of buildings and laying out of roads on lands owned by private people or for acquiring such lands when the Municipal Council has the requisite funds and considers that the land may be acquired. It may perhaps be inexpedient to accept the principle that all private lands which are fit to be laid out as building sites in the City Municipality should be acquired by the Municipal Council. In view of the fact that the laying out of extensions may not in all cases be remunerative, it is for consideration whether it may be left to the discretion of the Municipal Council when it has the necessary funds to decide -- whether any such land may be acquired and (b) whether any owner of such land may be permitted to lay it out for purposes of building in accordance with the lawful directions issued by the Municipal Council.

AS
4/8/32

L3rd 2683

Serial No

3 b) Please refer to the provisions of the Bill under which a Mc Council may, if they wish, acquire such lands for laying out sites & controlling building operations thereon

ASR 8/3

37) Please see para 32, clause (1) (c) of the Bill provides for acquisition of properties.

35 Clause 112 relates to acquisition of properties in connection with the formation of streets. Under what clause can lands be acquired for laying out sites for sale to the public for building houses, or in other words is this one of the purposes of the Regulation existing or proposed

ASR 10/3

39) It is pointed out that this can be done under Clauses 62(a) & 112 of the Draft Bill, corresponding to Secs 56 (2) & 90 (1) (a) of the existing Regulation

40) As stated in para 35 above the question of acquisition of such properties may be left to the discretion of the Mun' Councils subject to the safeguards in para 30

II Members) ASR 10/3

41) The points mentioned in the Secs I Planning Committee

11/3/32 ASR 11/3

42) Submitted with a draft for consideration

Sec' Secy) ASR 19/3

14/3/32 19/3/32

GENERAL SECRETARY. 22 MAR 1932 No 6291

NOTE—Contn Sheet

WD 70—GBPM—60,000—13-8-31

16/3/32

2/4 Issued ASR 4/4

25

File No. 824 of 1948

Letter No. 6780 of 7.4.52. To Every Town Planning Committee States with no rigid rules as proposed as called for

23

Appendix F G–1]

SUBJECT

Section Mel
File No 84-31
Serial No 5

Diary No of letter replied to - 324

No L 857-8/Enquiries

To (1) The Rel: Commr Mad
the President, Bangalore cy
Mel cl
(2) The President
Negapatam Mel: cl

General and Revenue Secretariat

( )

the 193

Date of issue 1-8-31

Signed by M. V. S. Sastri

Sir I am directed to forward herewith Copy of letter No. 32 & the 16/17 th July 1931 received from the Secy: Town Planning Committee Bangalore, enclosing Resolution of the Committee to the effect that no licenses should be granted to property Owners & Capitalists to Open out miniature extensions of Town within their own lands & to request that the matter may be kindly

List of enclosures

Copied by

Examined by

Plans before the
Committee for their Opinion sent
to this Office early
I have etc.,

30.7.31

for Gen: Secy & Chief.

(DFW)

29.7.31 Memo no L3208/med 28.10.31
Copy to the
Secy: Town planning Committee

No G 2089
Encl One

CITY MUNICIPAL OFFICE,

Bangalore City, Dated 5th 14th Oct. 193 1

Mc84-31-15

REV SEC. 1908

16 OCT 1...

L. S. G. BRANCH.

FROM

P H KRISHNA RAU, ESQ, M A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

GENERAL SECRETARY. 15 OCT 1931 No. 101

TO

H.V.Ramaswami,Esq,M.A.,B.L.,
Secretary to Government,
General Department,
Bangalore.

Sir,

With reference to your letter No.L.857-8/M1.84-31-5 Plag E DW 324 dated 1st August 1931 forwarding for opinion a copy of the resolution of the Town Planning Committee, Bangalore, to the effect that no licenses should be granted to property owners and capitalists to open out miniature extensions of Towns within their own lands, I have the honour to - state that this subject was placed before the Municipal Council who in their meeting held on 19-9-1931 have --- resolved that they are quite in sympathy with the proposal made in the letter. A copy of the Council resolution -- dated 19th September 1931 is enclosed for information.

I have the honour to be,

Sir,

Your most obedient servant,

MunicipalCommissioner.

Forwarded with compliments.

President.

Need for penal Please put up the file to me if any further action is necessary,

Encls.
27 10 31

No. 16.

Proceedings of the adjourned general meeting of the City Municipal Council , Bangalore City, held on Wednesday the 17th September 1931 at 5 P.M. in the Council Chamber of the City Municipal Offices.

Present.

P.SUBBARAMA CHETTY,ESQ, (President.)

Councillors.

1. Mr.S.K.Venkatarangiengar,
2. Mr.T.H.Hanumantappa,
3. Mr.Belur Srinivasiengar,
4. Mr.Ramlal Tiwari,
5. Mr.B.K.Garudachar,
6. Mr. B.S .Shankarappa Setty,
7. Mr.Belur Srinivasiengar,
7. Mr.D.Venkataramanappa,
8. Mr.B.L.Byanna,
9. Mr.C.N.Narasinga Rao,
10. Mr.S.Venkatapathiya,
11. Mr. S.V.Sreenivasa setti,
12. Mr.Khaja Md.Khader Sheriff
13. Mr.Abdul Majid,
14. Mr.O.S.Nasrulla Sheriff,
15. Mr. Mohamed Hussain.
16. Mr. B.D.Naidu,
17. Mr.M.Koyan,
18. Mr.B.Kempanna,
19. Mr. Thangavelu Pillai,
20. Mr. V.Sundera Murthy.

Absent.

1. Mr.K.T.Bhashyam Iyengar,
2. Mr.Hoskote Bhadrappa,
3. Mr.K.Srikantaiya,
4. Mr.D.Gopalakrishna Rao,
5. Mr.Y.H.Venkataramanappa,
6. Mr.M.P.Somasekhara Rao,
7. Mr.D.S.Ramachandra Rao,
8. Mr.B.Nalakrishnaiya.

Vacant - one.

---

5. To consider letter No.L.857-8/Ml.84-31-5 dated 1st Aug. 1931 from the General Secretary to Government forwarding a copy of letter No.32 dated 16/17th July 1931 from the Secretary,Town Planning Committee to the effect that no license should be grantec to property owners and capatalists to open out miniature extensior of T owns within their own lands and requesting to know the opinion of the Municipal Council in the matter.

Resolution:- Resolved that the Municipal Council is quite in sympathy with the proposal made in the letter read above.

Sd.P.Subbarama Chetty,
President.

"Copy"

For Municipal Commissioner.

Mc 84-31-20

No. GI 956
Enc.

Office of the President,
City Municipal Council, Mysore.
Dated 7th January 1931.

From

L.G.Rama Iyer, Esq., B.A.,
President, City Municipal Council,
Mysore.

GENERAL SECRETARIAT
9 JAN
No 66

The Secretary to Government,
General Department,
Bangalore.

Sir,

With reference to your letter No.L.857-8/Ml.84-31-5 dated 1st August 1931 forwarding copy of letter No.32 dated 17th July 1931 from the Secretary, Town Planning Committee enclosing resolution of the Committee to the effect that no licenses should be granted to property owners and capitalists to open out minature extensions of Town within their own lands, and subsequent reminder No.L.4805 dated 5th January 1932 thereto, I have the honour to state that the Municipal Council in their Resolution No.61 dated 29th August 1931 (copy enclosed) have resolved that the suggestion of the Town Planning Committee be adopted.

I have the honour to be,
Sir,
Your most obedient servant,
President.

PVR.

Proceedings of the 4th (Ordinary) meeting of the Mysore City Municipal Council, held in the Council Chamber on Saturday the 29th August 1931 at 4 P.M.

Present.

T.G.Rama Iyer, Esq., B.A.,President.

1. M.Ramaswamy, Esq., Vice-President.
2. M.Rama Rao, Esq., B.A.,B.L.,
3. M.K.Krishna Rao, Esq.,
4. P.Sitaramiah, Esq., B.A.,B.L.,
5. C.Narasimhiah, Esq., B.A.,B.L.,
6. P.S.Ramaswamy Iyengar, Esq.,
7. T.S.Alli Khan, Esq.,
8. C.Doddajavarappa, Esq.,
9. K.N.Venkatakrishniah, Esq., B.A.,
10. M.Venkatakrishniah, Esq.,
11. A.Krishna Rao, Esq., B.A.,B.L.,
12. S.Krishnaswami Rao, Esq., B.A.,M.LL.B.,
13. M.L.Devaraj Urs, Esq.,
14. Dharmaprakasa D.Hanumiah, Esq.,
15. A.N.Srikanta Sharma, Esq.,
16. M.C.Basappa, Esq., B.A.,LL.B.,
17. W.H.Theobald, Esq.,
18. M.K.Madhava Rao, Powar, Esq.,
19. Hakim Mahamed Khasim Ansari,Khaji, Esq.,
20. Fida Hussain, Esq.,
21. Sister E.Tomkinson.
22. Mahamed Sait, Esq.,
23. K.Dhanakoti Chetty, Esq.,
24. Y.Virupakshiah, Esq.,
25. V.T.Arnugum Modaliar, Esq.,

Absent.

1. M.P.Rangadhamaiya, Esq.,
2. T.Thammanna, Esq.,
3. A.J.Ram, Esq.,
4. P.M.Sangappa, Esq.,

x x x

61. Letter No.L.857-8/M1 84-31-5 dated 1st August 1931 from the General Secretary to Government forwarding copy of letter No.32 dated 17th July 1931 from the Secretary, Town Planning Committee, enclosing resolution of the Committee to the effect that no licenses should be granted to property owners and capitalists to open out minature extensions of Town within their own lands.

Resolution- Resolved that the suggestion of the Town Planning Committee be adopted.

x x x

Sd/-T.G.Rama Iyer,
President.

"Copy"

President.

S)

Appendix F G—1]

SUBJECT

2 Copies

Section mL

File No 84-31

Serial No 23

Diary No of letter replied to

No L6780

To The Secretary, Town Planning Committee, Bureau of Sanitary Engineering, Bangalore

General and Revenue Secretariat

( )

the *193* .

Date of issue 7-4-32

Signed by Mr A-S Rao

Sir

With reference to your letter no 329/17-7-1931 requesting that mL Councils be advised not to grant licenses to property owners and Capitalists to open out minor extensions of towns within their own lands and ~~(suggesting the desirability of the part of the mL Councils to acquire such lands and lay out the same with~~ (this Govt may be requested to ~~lay out the same~~ acquire such lands, lay out the same and) so that they may have full and effective Control) and affording proper over crowding Open & Unrestricted

List of enclosures

Copied by

Examined by

WD 71—GBPM—40,000—20-7 31

facilities in respect of roads, light etc, I am directed to state that there is ample provision in the existing Municipal Regulation for ~~the~~ giving effect to the object aforesaid. Though under the Regulation a Municipality cannot prohibit an owner of land from erecting thereon, yet it may prescribe, in the license to erect, ~~such~~ conditions as necessary. ~~The~~ Council in regard to matters referred to in the resolution of the Committee. There is also provision for acquiring such lands by the Municipal Council, at their discretion, whenever necessity is felt therefor & when their financial condition admits of it.

For the foregoing reasons ~~the Govt do not consider the necessity does~~ a rigid rule as suggested, the Committee in its resolution does not appear to be called for.

I have etc

Sd/-
Secy Legislative
19/3

Extra

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

Dated, Bangalore, 4th April 1932.

No 26780
TPB4-31-23

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Secretary,
Town Planning Committee, Bureau of Sanitary Engineering,
Bangalore.

Sir,

With reference to your letter No. 32 dated 17th July 1931, requesting that Municipal Councils be advised not to grant licenses to property owners and capitalists to open out miniature extensions of towns within their own lands and that they may be required to acquire such lands so as to have full and efficient control over building operations thereon and afford proper facilities in respect of roads, light etc., I am directed to state that there is ample provision in the existing Municipal Regulation for giving effect to the objects aforesaid. Though under the Regulation, a Municipal Council cannot prohibit an owner of land from building thereon, yet it may prescribe, in the license to be given, conditions necessary to have control in regard to matters referred to in the resolution of the Committee. There is also provision for acquiring such lands by the Municipal Councils, at their discretion, whenever necessity is felt therefor and when their financial condition admits of it.

For the foregoing reasons a ~~required~~ rule as suggested by the Committee in its resolution does not appear to be called for.

I have the honour to be,

S i r,

Your most obedient servant,

Asuba Rao

For General Secretary to Government.

K.M.R.2.
4-4.